

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Kamal Acharya et al.
Application No. : 09/975,831
Filed : October 11, 2001
For : METHOD AND SYTEM FOR INTEGRATED ONLINE
AND BRICK AND MORTAR PROVIDER SHOPPING

Examiner : Brandy A. Zukanovich
Art Unit : 3625
Docket No. : 122118-175973
Date : August 29, 2011

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST UNDER 37 CFR 1.48(a) TO REMOVE INVENTOR

Sir/Madam:

It is hereby requested under 37 CFR 1.48(a) that Ellen F. Butler (now Ellen F. Butler Patterson) be deleted as an inventor in the above-referenced application.

Enclosed herewith please find the newly executed Inventor Declaration of inventors Peter Gremett and Srinivas Lingutla; a Statement of Non-Deceptive Intent by Ellen F. Butler Patterson; a Consent of Assignee under 37 CFR 1.48(a); and a Statement Under 37 CFR 3.73(b).

The required fee set forth in 37 CFR 1.17 (i) is also submitted herewith.

A petition under 37 CFR 1.47(a) is being concurrently filed herewith for unavailable/unwilling inventors Kamal Acharya, Matthew Crampton, and Vincent Tong. Accordingly, said petition under 37 CFR 1.47(a) is being submitted in lieu of an executed Inventor Declaration of inventors Kamal Acharya, Matthew Crampton, and Vincent Tong.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 500393.

Respectfully submitted,
Schwabe, Williamson & Wyatt

/Dennis M. de Guzman/

Dennis M. de Guzman, Reg. No. 41,702

DMD:

1420 Fifth Avenue, Suite 3400
Seattle, Washington 98101
Phone: (206) 407-1574
Fax: (206) 292-0460

DECLARATION FOR PATENT APPLICATION

INVENTORSHIP IDENTIFICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

METHOD AND SYTEM FOR INTEGRATED ONLINE AND BRICK AND MORTAR
PROVIDER SHOPPING

SPECIFICATION IDENTIFICATION

the specification of which

_____ is attached hereto.

X was filed on October 11, 2001 as

United States Application 09/975,831

or PCT International Application Number _____

and was amended on (a) October 18, 2002; (b) September 23, 2003;
(c) January 20, 2004; (d) October 4, 2004; (e) April 20, 2006; (f) August 9, 2006; (g) July
17, 2008; (h) December 19, 2008; (i) July 17, 2009; and (j) April 27, 2010.

(if applicable)

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

PRIORITY CLAIM (35 U.S.C. § 119(a)-(d) or (f), or 365(b))

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which

Patent

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Second Inventor: Vincent Tong

Inventor's Signature: _____ Date: _____

Residence: Union City, CA Citizenship: HK

(City, State) (Country)

Post Office Address: 34734 Williams Way, Union City, CA 94587

- 2 -

Full Name of Fourth Inventor: Matthew Crampton

Inventor's Signature: _____ Date: _____

Residence: Mountain View, CA Citizenship: US
(City, State) (Country)

Post Office Address: 1931 Old Middlefield Way, Mountain View, CA 94043

Full Name of Fifth Inventor: Srinivas Lingutla

Inventor's Signature: _____ Date: _____

Residence: Pittsfield, MA Citizenship: IN
(City, State) (Country)

Post Office Address: 20 Meadow Ridge Drive, Pittsfield, MA 01201

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct.

The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

DECLARATION FOR PATENT APPLICATION

INVENTORSHIP IDENTIFICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: Kamal Acharya

Inventor's Signature: _____ Date: _____

Residence: Los Altos, CA **Citizenship:** IN
(City, State) (Country)

Post Office Address: 675 Distel Drive, Los Altos, CA 94022

Full Name of Second Inventor: Vincent Tong

Inventor's Signature: _____ Date: _____

Residence: Union City, CA **Citizenship:** HK
(City, State) (Country)

Post Office Address: 34734 Williams Way, Union City, CA 94587

Full Name of Third Inventor: Peter Gremett

Inventor's Signature: _____ Date: _____

Residence:	<u>Sunnyvale, CA</u>	Citizenship:	<u>US</u>
	(City, State)		(Country)

Post Office Address: 1045 W. McKinley Ave., Sunnyvale, CA 94086

Attorney's Docket No. 122118-175973

Patent

Full Name of Fourth Inventor: Matthew Crampton

Inventor's Signature: _____

Date: _____

Residence: Mountain View, CA

(City, State)

Citizenship: US

(Country)

Post Office Address: 1931 Old Middlefield Way, Mountain View, CA 94043

Full Name of Fifth Inventor: Srinivas Lingutla

Inventor's Signature: *S. Lingutla*

Date: _____

Residence: Pittsfield, MA

(City, State)

Citizenship: ~~IN~~ US (K28)

(Country)

Post Office Address: 20 Meadow Ridge Drive, Pittsfield, MA 01201

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DOCKET NO.: 122118-175973
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Acharya et al.

Application No.: 09/975,831

Filed: October 11, 2001

Art Unit: 3625

For: **METHOD AND SYSTEM FOR
INTEGRATED ONLINE AND BRICK AND
MORTAR PROVIDER SHOPPING**

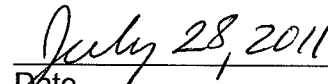
Examiner: Brandy A. Zukanovich

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING
REMOVED AS INVENTOR UNDER 37 CFR 1.48(a)**

I, Ellen F. Butler Patterson, a person who is being removed as an inventor to correct the inventorship of the above-captioned patent application, do hereby declare that the error in inventorship occurred without any deceptive intention on my part.


Ellen F. Butler Patterson


Date

DOCKET NO.: 122118-175973
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
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Examiner: Brandy A. Zukanovich

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP
(REMOVAL OF INVENTOR) UNDER 37 CFR 1.48(a)**

This Consent of Assignee to Correction of Inventorship (Removal of Inventor) Under 37 CFR 1.48(a) is part of a request for removal of Ellen F. Butler (now Ellen F. Butler Patterson) as an inventor of the above-referenced application.

The assignee owning an undivided interest in said application is TARQUIN CONSULTING CO., LLC. of 160 Greentree Drive, Suite 101, Dover, DE 19904. The assignee consents to the accompanying request to delete Ellen F. Butler Patterson as an inventor of the above-referenced application. A Statement Under 37 CFR 3.73(b) is filed herewith.




Stephen Finley
Authorized Person for Tarquin Consulting Co., LLC

8-10-2011

Date

DECLARATION REGARDING AUTHORITY TO SIGN ON BEHALF OF A LEGAL ENTITY
(37 C.F.R. 3.73(b)(2)(i))

I, Stephen Finley (whose title is supplied below), hereby declare that I am authorized to sign on behalf of Tarquin Consulting Co., LLC.



Stephen Finley, Authorized Person for Tarquin Consulting Co., LLC



Date